

Copy 1143
Section 1
24218

Dkt. 47765-C/JPW/EMW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Collin-J. Weber et al.

Serial No.: 09/049,865

Examiner: Not Yet Known

Filed : March 27, 1998

Group Art Unit: 1643

For : METHOD OF INHIBITING IMMUNE SYSTEM DESTRUCTION OF
TRANSPLANTED VIABLE CELLS

1185 Avenue of the Americas
New York, New York 10036
June 15, 1998



Assistant Commissioner for Patents
Washington, D.C. 20231

ATTN: Box Missing Parts

Sir:

COMMUNICATION IN RESPONSE TO
APRIL 14, 1998 NOTICE TO FILE MISSING
PARTS OF APPLICATION UNDER 37 C.F.R. §1.53(b)

In response to a Notice to File Missing Parts of Application Filing Date Granted under 37 C.F.R. §1.53(b) issued in connection with the above-identified application on April 14, 1998, a copy of which is enclosed as Exhibit A, applicants submit as Exhibit B a Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53(b) and in compliance with 37 C.F.R. §1.63. The Declaration refers to the application's above-identified serial number and filing date. In accordance with the Notice, the deadline for submitting the Declaration and Power of Attorney was June 14, 1998. However, since June 14, 1998 was a Sunday, a response filed on the next business day is to be considered timely. A Communication filed on Monday, June 15, 1998 is to be considered timely. Accordingly, the this Communication is being timely filed.

The surcharge under 37 C.F.R. §1.16(e) for responding to the Notice to File Missing Parts of Application under 37 C.F.R. §1.53(b) is ONE HUNDRED AND THIRTY DOLLARS (\$130.00). A check for a total

Applicants: Collin J. Weber et al.
U.S. Serial No.: 09/049,865
Filed: March 27, 1998
Page 2

amount of \$130.00 is enclosed to cover the surcharge for filing a Declaration and Power of Attorney.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone at the number provided below.

No fee, other than the enclosed \$130.00 surcharge fee is deemed necessary in connection with the filing of this Communication. If any additional fees are required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

Albert Wai Kit Chan

John P. White
Registration No. 28,678
Albert Wai-Kit Chan
Registration No. 36,479
Attorneys for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231.

Albert Wai-Kit Chan 6/5/98
Albert Wai-Kit Chan Date
Reg. No. 36,479



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
--------------------	---------------------	-----------------------	---------------------------

09/049,865 03/27/98 WEBER

C 47765/C/JPW/

0362/0414

ALBERT WAI-KIT CHAN
COOPER & DUNHAM
1185 AVENUE OF THE AMERICAS
NEW YORK NY 10036

NOT ASSIGNED

1643

DATE MAILED:

04/14/98
6/14/98
10/14/98

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 130 for a ☒ large entity ☐ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☒ large entity ☐ small entity (verified statement filed), is \$ 130.

☐ 1. The statutory basic filing fee is:

- ☐ missing.
☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.
Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing.
☐ does not cover the newly submitted items.
☐ does not identify the application to which it applies.
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are:

- ☐ missing.
☐ by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$ _____ processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the response.

Customer Service Center
Initial Patent Examination Division (703) 308-1202